

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-9889-2017 (O&M)
Date of decision: 29.02.2024

Gurjinder Singh and Ors.
.....Petitioners
Versus
Punjab State Power Corporation Ltd and Ors
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. H.S. Saini, Advocate for the petitioners.
Mr. Vikas Chatrath, Advocate for the respondents/PSPCL.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioners under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari, for quashing the impugned Clause No.6 of the impugned advertisement CRA No.289/16 (Annexure P-2) vide which the upper age limit for being eligible for the post of Assistant Lineman has been prescribed as 37 years instead of 39 years (with relaxation of 2 years of Apprentice duration). Further a writ of mandamus has been sought for issuance of directions to the respondents to consider the claim of the petitioners against the post of Assistant Lineman according to their inter se seniority of undergoing Apprenticeship Training and merit for the post in question with consequential benefits in view of the guidelines laid down by the Hon'ble Supreme Court in ***“U.P. State Road Transport Corporation vs U.P. Parivahan Nigam Shishukhs Berozgar Sangh and others”***, AIR 1995 (SC) 1115 and further directions be issued to the respondent/Corporation to consider the petitioners No.1, 8, 9, 10, 15, 17 and 18 eligible for the post of Assistant Lineman and accept their applications for the said post in pursuance of advertisement No.289/16 (Annexure P-2) provisionally subject to final outcome of the present writ petition.

2. Learned counsel for the respondents has produced a copy of the chart wherein status of the petitioners have been given.
3. A perusal thereof would show that petitioners No.10 and 14 have been selected and appointed in pursuance to the advertisement CRA No.289/2016, which is the subject-matter of the present writ petition and petitioners No.2, 3, 4, 6 to 9, 11 to 13 and 15, have been selected and appointed in subsequent selection made in pursuance to advertisement CRA No.295/2019.
4. Learned counsel for the petitioners submits that the present petition may be disposed of with liberty to the remaining petitioners to submit a justice demand notice to the respondents and time bound directions may be issued to the respondent/Corporation to consider and decide the same keeping in view the law laid down by the Division Bench of this Court in LPA No.1940 of 2016, titled as “*Rajesh Kumar and others vs PSPCL and others*”, decided on 03.07.2019.
5. In view of the above, the present petition is disposed of with a direction to the respondents/Corporation that if any such representation/justice demand notice is served by the aggrieved petitioners within a period of 01 month from today, the same shall be considered and decided within a period of 03 months thereafter.

(NAMIT KUMAR)
JUDGE

29.02.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No